EUROPEAN COURT OF HUMAN RIGHTS

PRESS RELEASE

FORTHCOMING HEARINGS IN DECEMBER 2026

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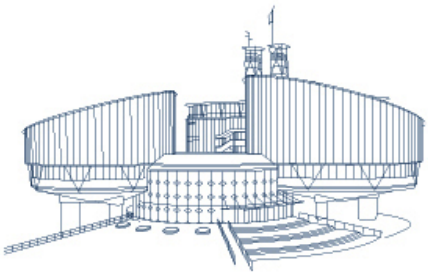
Press release issued by the Registrar of the Court



In December 2026 the European Court of Human Rights will hold hearings in the following cases:

Ahmad v. Denmark and Makki v. Denmark (application nos. 5712/24 and 24292/24), concerning the seclusion of patients detained in psychiatric hospitals;

Macagnino and Marzo v. Italy (nos. 61799/15 and 62690/15) **and Cavallotti and Others v. Italy** (nos. 29614/16 and 3 others), concerning confiscations of assets, known as "preventive confiscations" in Italian law, which are measures taken in respect of individuals who, on account of their behaviour and lifestyle and on the basis of factual evidence, may be regarded as habitually living, even in part, on the proceeds of crime (on grounds of "ordinary dangerousness"), and in respect of individuals suspected, inter alia, of belonging to a mafia-type organisation (on grounds of "special dangerousness").

After these hearings the Court will begin its deliberations, which will be held in private. Its ruling in the cases will, however, be made at a later stage.

A limited number of seats are available for the press in the hearing room. To be sure of a place, you need to book in advance by contacting the Press Unit at echrpress@echr.coe.int. If you wish to attend a hearing, we recommend reading the document Public hearings at the European Court of Human Rights.

On 2 December 2026 at 9.15 a.m.: Grand Chamber hearing in the case Ahmad v. Denmark and Makki v. Denmark

The applicants, Liibaan Cali Ahmad and Abdeelhadi Abbas Makki, are Somali and Danish nationals, who were born in 1987 and 1995 respectively.

Denmark has one High-Security Psychiatric Unit, where extraordinarily dangerous patients are treated under the Mental Health Act. The seclusion of a mentally ill patient is only permitted at this unit.

Mr Ahmad suffers from paranoid schizophrenia. In March 2015 he was convicted of crimes of a violent nature, including violence and threats of violence against staff at a psychiatric hospital. An order was made that he be placed at the High-Security Psychiatric Unit. However, as there was no bed available, he was placed at the Department of Forensic Psychiatry. He was confined to his room there for eight months, between 26 October 2015 and 8 July 2016, by a bookcase being placed in

front of his door. Mr Ahmad was moved to the High-Security Psychiatric Unit in July 2016 when a bed became available.

Mr Makki suffers from schizophrenia and a mild intellectual disability. In June 2016 he violently assaulted a psychiatric nurse. In February 2019 he was placed at the High-Security Psychiatric Unit. He was secluded in his room for three years and seven months between 4 March 2019 and 18 October 2022.

Mr Ahmad and Mr Makki both complained about their seclusion to the Psychiatric Patients' Complaints Board, which dismissed their complaints. They both then brought court proceedings.

In November 2022, the High Court found that Mr Ahmad's confinement had been lawful. In October 2023, following an appeal, the Supreme Court found that, although the seclusion measure in his case had lacked authority under the Mental Health Act, it had not contravened the Convention.

In November 2023, the High Court found that Mr Makki's seclusion had been lawful, except for the period between 2 and 25 September 2020, for which he was granted compensation. Leave to appeal to the Supreme Court was refused. The application was lodged with the European Court of Human Rights on 20 February 2024.

Relying on Article 3 (prohibition of inhuman or degrading treatment), Article 5 (right to liberty and security) and Article 8 (right to respect for private and family life) of the European Convention on Human Rights, the applicants complain about their seclusion in psychiatric hospitals.

The applications were lodged with the European Court of Human Rights on 20 February 2024 and 16 August 2024. On 18 March 2024 and 29 August 2024, the Danish Government was given notice[1] of the applications, with questions from the Court. On 28 April 2026 the Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber[2].

On 16 December 2026 at 9.15 a.m.: Grand Chamber hearing in the case Macagnino and Marzo v. Italy and Cavallotti and Others v. Italy

Macagnino and Marzo v. Italy: t concerning the confiscation of the assets of two Italian nationals (the applicants), who are husband (A.M.) and wife (O.M.).

A.M. was declared "socially dangerous" by the Italian courts on the grounds that he had committed a number of offences during a certain period of time.

In April 2013 the Lecce District Court ordered the confiscation of the applicants' assets, finding that they belonged to A.M. even though they were formally owned by O.M. In particular, the District Court considered that the assets were disproportionate to the couple's lawful income and that their lawful origin had not been demonstrated.

In August 2015 the Court of Cassation observed that "the vast majority" of the confiscated assets had been purchased during the period in which A.M. had been declared socially dangerous and that, in accordance with its case-law, the measure had to be applied in respect of all unlawfully acquired assets, including those deriving from tax evasion.

Before the Court, the applicants rely on Articles 6 (right to a fair hearing), 8 (right to respect for family life and home) of the Convention, and on Article 1 of Protocol No. 1 (protection of property) to the Convention.

The applications were lodged with the European Court of Human Rights on 7 and 17 December 2015 respectively. On 6 December 2023 the Italian Government were given notice[1] of the applications, with questions from the Court. The Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber[2] on 5 May 2026.

Cavallotti and Others v. Italy: concerning four applications lodged by seven Italian nationals, falling into two groups.

The first group comprises three applicants who were prosecuted on charges of participation in a mafia-type criminal organisation within the meaning of Article 416 *bis* of the Criminal Code. Two of them were also charged with bid-rigging within the meaning of Article 353 of the Criminal Code, but those proceedings were subsequently declared time-barred. The three applicants were later acquitted of participation in a mafia-type criminal organisation in a final judgment of the Palermo Court of Appeal of 6 December 2010.

In separate proceedings for the application of a preventive confiscation measure, the domestic courts found that these three applicants were "suspected of belonging to a mafia-type organisation". On that basis, it ordered the confiscation of the assets formally owned by them, together with those formally owned by members of their family (namely, the four other applicants making up the second group) as in fact being at the disposal of the first group of applicants, on account of the discrepancy between the value of these assets and their owners' lawful income and the inability of the latter to demonstrate their lawful origin. The confiscation became final with a judgment of the Court of Cassation delivered on 2 February 2016.

Before the Court, the applicants rely on Article 6 §§ 1 and 2 (right to a fair hearing/presumption of innocence) of the Convention and on Article 7 (no punishment without law) of the Convention and Article 1 of Protocol No. 1 (protection of property) to the Convention.

The applications were lodged with the European Court of Human Rights in May, June and August 2016 respectively. On 10 July 2023 the Italian Government were given notice[1] of the applications, with questions from the Court. The Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber[2] on 5 May 2026.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.

[1] In accordance with Rule 54 of the Rules of Court, a Chamber of seven judges or the President of the Section may decide to bring to the attention of a Convention State's Government that an application against that State is pending before the Court (the so-called "communications procedure"). Further information about the procedure after a case is communicated to a Government can be found in the Rules of Court.

[2] Under Article 30 of the European Convention of Human Rights "Where a case pending before a Chamber raises a serious question affecting the interpretation of the Convention or the Protocols thereto, or where the resolution of a question before the Chamber might have a result inconsistent with a judgment previously delivered by the Court, the Chamber may, at any time before it has rendered its judgment, relinquish jurisdiction in favour of the Grand Chamber".